

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN DOE, *et al.*,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT,
et al.,

Defendants.

Case No. 2:15-cv-00793-APG-GWF

ORDER

Re: Motion to Compel (ECF No. 48)

This matter is before the Court on Plaintiffs’ Sealed Motion to Compel Discovery Responses (EFC No. 48), filed on April 22, 2016. Defendant Clark County School District (“School District”) filed its Opposition (EFC No. 53) on May 16, 2016. Plaintiffs filed their Reply (EFC No. 59) on May 26, 2016. The hearing on this motion was continued to June 30, 2016 to afford Plaintiffs’ new counsel the opportunity to review the motion and attempt to resolve it with Defendants prior to the hearing. The parties were not able to resolve the discovery dispute. Following oral argument, the Court took the motion under submission.

On August 18, 2016, the Court granted, in part, and denied, in part, Defendants’ Motion to Dismiss (ECF No. 15). *See Order (ECF No. 73)*. The Court dismissed Plaintiffs’ claims brought pursuant to 42 U.S.C. § 1983 (Civil Rights Violation), 20 U.S.C. § 1681(a) (Title IX), and Nevada state law relating to Defendant School District’s failure to properly train or supervise the teacher who allegedly sexually abused Plaintiff Doe, or relating to the failure to train other employees to recognize and report suspected sexual abuse of a student or take appropriate remedial action to prevent such abuse. The Court granted Plaintiffs leave to move to amend their complaint if they can correct the deficiencies found by the Court. Because the dismissed claims are the predicate for Plaintiffs’

1 discovery requests relating to other incidents of student sexual abuse committed by School District
2 employees, the Court will deny Plaintiffs' motion to compel production of records relating to such
3 incidents. If Plaintiffs are hereafter able to allege viable claims for relief based on the School District's
4 failure to properly train or supervise its employees to prevent sexual abuse of students, then Plaintiffs
5 may re-file their motion to compel. Accordingly,

6 **IT IS HEREBY ORDERED** that Plaintiffs' Sealed Motion to Compel Discovery Responses
7 (EFC No. 48) is **denied**, without prejudice.

8 DATED this 19th day of August, 2016.

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11 GEORGE FOLEY, JR.
12 United States Magistrate Judge
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